

### **REMARKS**

Applicants respectfully request reconsideration of this application. Claims 1, 8, 16, 23, 31 and 32 have been amended. Claims 6, 15, 21 and 30 have been canceled. Claim 41 has been added.

#### **Rejections under 35 U.S.C. §102**

Claims 1-40 were rejected under 35 U.S.C. § 102(e) as being anticipated by *De Rafael* et al (U.S. 6,529,878).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of Cal.*, 814 F.2d 628, 631 (Fed. Cir. 1987).

Independent claims 1, 16 and 31 include at least one limitation not disclosed nor suggested in *De Rafael*. Therefore, independent claims 1, 16 and 31 are not anticipated and are patentable over *De Rafael*.

In particular, independent claim 1 includes the limitation of "establishing a real-time communications link between the one or more users and an advertiser of the selected advertising link." Independent claims 16 and 31 include a similar limitation. *De Rafael* does not disclose this limitation.

Rather, *De Rafael* discloses a remote computer which, from time to time, transmits information to each advertiser in response to users having viewed and interacted with the advertiser's advertisement. (*De Rafael*, col. 3, lines 28-30). In other words, *De Rafael* discloses collecting information from the user and then transmitting that information to the advertiser. (*De Rafael*, Figure 3). *De Rafael* does not establish a real-time communications link between one or more users and an advertiser of a selected advertising link.

Thus, *De Rafael* fails to disclose or suggest Applicants' claimed limitations. Accordingly, *De Rafael* does not anticipate independent claims 1, 16 or 31. Claims 2-5, 7-14, 17-20, 22-29 and 32-41 depend, directly or indirectly, from one of the foregoing independent claims. Therefore, *De Rafael* fails to anticipate claims 2-5, 7-14, 17-20, 22-29 and 32-41 for at least the reasons discussed above with respect to claims 1, 16 or 31. Withdrawal of the rejection is respectfully requested.

**CONCLUSION**


Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Van Nguy at (408) 720-8300, x228.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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